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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/521,337	03/28/2005	Martin Doll	SHN-122-A	9158

7590 10/11/2006

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EXAMINER

RINEHART, KENNETH

ART UNIT	PAPER NUMBER
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3749

DATE MAILED: 10/11/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/521,337	<b>Applicant(s)</b> DOLL, MARTIN	
	<b>Examiner</b> Kenneth B. Rinehart	<b>Art Unit</b> 3749	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 18 August 2006.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2,6,13-15 and 17 is/are rejected.
- 7) ☒ Claim(s) 3-5,7-12,16 and 18-20 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 January 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Response to Arguments***

Applicant's arguments with respect to claims 1-12 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 2, 6, 13, 14, 15, 17 are rejected under 35 U.S.C. 102(b) as being anticipated by Macaluso (5557858). Macaluso shows a housing (fig. 1), and b) at least two thermally conditioning facilities arranged one above the other in the housing and substantially over the same floor area each thermally conditioning facility comprising tunnel shaped cavity in which objects present within the cavity can be impinged by a stream of thermally conditioned air (each cavity formed by conveyors that are placed one above the other, 60, fig. 1), the cavity being arranged in parallel with a corresponding tunnel shaped cavity of each of the other thermally conditioning facilities such that a stream of thermally conditioned air passing through the cavity of one of the at least two thermally conditioning facilities is prevented from also passing through the cavity of anyone of the remaining thermally conditioning facilities (belt prevents air passing through, fig. 1) ; and a conveying system, by which the objects can be moved through the tunnel shaped cavity (col. 3, line 66), an air path on which the thermally conditioned air flows to a first thermally conditioning facility leads through a second thermally conditioning facility (first

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thermally conditioned facility is the bottom belt cavity 30, fig. 1, second thermal conditioned cavity is above belt 28), the at least two thermally conditioning facilities at least regionally divide the air path on which the air is discharged from the tunnel shaped cavities (fig. 1), a first thermal conditioning chamber having a hollow cavity for receiving a first workpiece (above 30, fig. 1), a second thermal conditioning chamber having a hollow cavity for receiving a second workpiece (above 34, fig. 1); a first air inlet plenum for supplying a first stream of air to the first thermal conditioning chamber (middle 56, fig. 1); and a second air inlet plenum for supplying a second stream of air to the second thermal conditioning chamber (bottom 56, fig. 1), the first air inlet plenum fluidly connected to the second inlet air plenum for allowing air from the first air inlet plenum to pass to the second air inlet plenum (vertical 56, fig. 1, fig. 4), wherein the first and second streams of air do not pass through a common thermal conditioning chamber (belt prevents air passing through, fig. 1), the first thermal conditioning chamber is positioned above the second thermal conditioning chamber (fig. 1), an air discharge plenum for receiving the first stream of air discharged from the first thermal conditioning chamber and the second stream of air discharged from the second thermal conditioning chamber, wherein the first stream of air mixes with the second stream of air within the air discharge plenum (54, fig. 1), the second stream of air supplied by the second air inlet plenum (bottom 56, fig. 1) to the second thermal conditioning chamber consists entirely of air delivered to the second air inlet plenum from the first air inlet plenum (vertical 56, fig. 1, fig. 4, ).

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*Allowable Subject Matter*

Claims 3-5, 7-12, 16, 18-20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

*Conclusion*

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kenneth B. Rinehart whose telephone number is 571-272-4881. The examiner can normally be reached on 7:20 -4:20.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ehud Gartenberg can be reached on 571-272-4828. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

kbr

  
KENNETH RINEHART  
PRIMARY EXAMINER